

REMARKS

Claim 7 was rejected under §112, second paragraph, and has been amended. Reconsideration and withdrawal of the rejection are respectfully requested.

Claims 1-11 were rejected as anticipated by HIRAKA et al. 6,400,377. Claim 1 has been amended to include the subject matter of claim 2 and claims 2 and 11 have been canceled. Reconsideration and withdrawal of the rejection of claims 1 and 3-10 are respectfully requested.

HIRAKA et al. do not disclose all of the limitations of amended claim 1 and thus claims 1 and 3-10 avoid the rejection under §102.

HIRAKA et al. do not disclose actuating the bi-axial button in a first axis to select a function in a scrolling menu displayed on said graphic screen, where the scrolling menu is in a continuous loop. By contrast, HIRAKA et al. disclose selection of one of a plurality of icons that are displayed on a screen (abstract, Figures 13A-B, and column 2, lines 1-2). The icons are not in a scrolling menu that is in a continuous loop. Figure 14 is not a scrolling menu in a continuous loop; it is a table showing a list of adjustment items and corresponding individual icons (column 4, lines 59-60). Figures 15A-H are examples of icon presentations that do not show a scrolling menu in a continuous loop. Nowhere does the reference refer to a scrolling

menu that is a continuous loop and one of skill in the art would not learn of this feature from HIRAKA et al.

HIRAKA et al. also do not disclose that the selected function appears permanently in the center of the scrolling menu (this is illustrated, by way of example, in Figure 1 of the present application). The selected function in Figures 13A-B of HIRAKA et al. are the "Screen Manager" and "Image Adjustment" that do not appear permanently in the center of a scrolling menu; the selected functions appear at the periphery of a group of icons.

The Official Action points to column 8, lines 64-65 for the continuous loop. However, this section refers to adjustment of a parameter (e.g., brightness) not to functions in a scrolling menu displayed on the screen. Further, these functions in HIRAKA et al. have a maximum and a minimum and there is no indication that the minimum would roll over to the maximum as it would in a continuous loop.

Accordingly, the claims avoid the rejection under §102.

The dependent claims may be further distinguished from HIRAKA et al. For example, claim 3 further provides that the scrolling menu is in the form of a cylinder or drum with horizontal axis when viewed laterally. The Official Action refers to Figure 14B (there is no Figure 14B in HIRAKA et al.) and it is presumed this is a reference to Figure 14. In any event, Figure 14 shows the corresponding individual icons. There

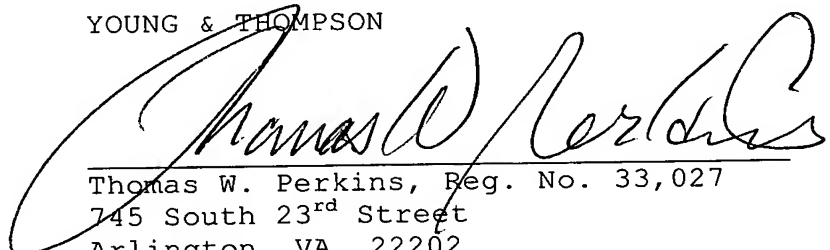
is no scrolling menu that is displayed on the screen, and there is no indication that such a scrolling menu is to be displayed in the form of a cylinder. The Official Action notes that adjustment item column is in a cylindrical shape. However, the adjustment item column is not a scrolling menu displayed on the screen and is an undisplayed rectangle, not a displayed cylinder or drum. Accordingly, claim 3 further avoids the rejection under §102.

In view of the present amendment and the foregoing remarks, it is believed that the present application has been placed in condition for allowance. Reconsideration and allowance are respectfully requested.

The Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 25-0120 for any additional fees required under 37 C.F.R. § 1.16 or under 37 C.F.R. § 1.17.

Respectfully submitted,

YOUNG & THOMPSON



Thomas W. Perkins, Reg. No. 33,027
745 South 23rd Street
Arlington, VA 22202
Telephone (703) 521-2297
Telefax (703) 685-0573
(703) 979-4709

TWP/fb